

MINUTES OF THE NHLC
DIVISION OF ENFORCEMENT & LICENSING MEETING
FOR THURSDAY, SEPTEMBER 22, 2016

1. HEARINGS TO BE HELD AT THE LIQUOR COMMISSION, 50 STORRS STREETS, CONCORD, NH:

October 21, 2016 at 10:00 a.m.:

- a. Newport Veterans Club, 118 John Stark Highway, Newport, NH.
Veterans Club License #16639 issued pursuant to RSA 178:22, V(h).
Cited for violation of RSA 178:22/Liq. 501.06 – failed to restrict access to gain entrance to a private club.
Date of violation: July 22, 2016.
Case #: 16-268-OF.
**ASSENTED-TO MOTION TO CONTINUE FILED BY THE DIVISION OF ENFORCEMENT;
GRANTED SEPTEMBER 2, 2016.**

November 18, 2016 at 10:00 a.m.:

- b. Pedraza's Mexican Restaurant, 44 Central Square, Keene, NH.
Restaurant Full Service With Lounge License #1375803 issued pursuant to
RSA 178:21, II(a)(1)/RSA 178:22, V(q).
Cited for violation of RSA 179:5, I – served or sold alcoholic beverage to an under-aged individual.
Cited for violation of RSA 179:5, II – allowed an under-aged individual to possess or consume alcoholic beverage.
Date of violations: January 9, 2016.
Case #: 16-24-OF.
**ASSENTED-TO MOTION TO CONTINUE FILED BY THE DIVISION OF ENFORCEMENT;
GRANTED SEPTEMBER 2, 2016.**

2. NOTIFICATION OF DISCIPLINARY ACTION:

Sammy's Market, 7 Madbury Road, Durham, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3302147 issued pursuant to
RSA 178:18/RSA 126-K:4.
Cited for violation of RSA 179:5, I – sold alcoholic beverage to an under-aged individual.
Date of violation: April 30, 2016.
Case #: 16-156-OF.
\$500 administrative fine, four (4) points imposed on the liquor license and the license to sell alcohol suspended for three (3) days with one (1) day held in abeyance for twelve (12) months pending no like violation commencing September 24, 2016 and re-granted on September 26, 2016.
COMMISSION ACKNOWLEDGED.

3. NOTIFICATION OF NON-CONTESTED TITLE XIII VIOLATION FINES PAID IN FULL:

- a. Shaw-Ross International Importers, 2900 SW 149th Avenue, Suite 200, Miramar, FL.
Liquor and Wine Vendor License #104345 issued pursuant to RSA 178:9.
Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.
Date of violation: August 2, 2016.
Case #: 16-275-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.
- b. 61 Best Market, 61 Maple Street, Manchester, NH.
Combination Off-Premises Beverage/Wine/Tobacco License #3310147 issued pursuant to
RSA 178:18/RSA 126-K:4.

Cited for violation of RSA 178/Liq. 704.01 – failed to renew liquor license thirty (30) days prior to expiration.

Date of violation: August 3, 2016.

Case #: 16-284-OF.

\$100 administrative fine paid.

COMMISSION ACKNOWLEDGED.

- c. The Joint, 24 Mechanic Street, Farmington, NH.
Restaurant Beverage and Wine License #1526803 issued pursuant to RSA 178:20.
Cited for violation of RSA 178:2, V – failed to attend a required training program within 45 days of the issuance of the liquor license.
Date of violation: June 24, 2016.
Case #: 16-296-OF.
\$100 administrative fine paid.
COMMISSION ACKNOWLEDGED.

4. LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:

- a. Birch LLC DBA Birch On Elm (The), 931 Elm Street, Manchester, NH 03101.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1534103 pursuant to RSA 178:21.
30-Day Temporary License issued 9/9/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- b. CVS Manchester NH LLC DBA CVS Pharmacy 10572, 309 Nashua Street, Milford, NH 03055.
To be issued Combination Off-Premise Beverage and Wine License #3346247 pursuant to RSA 178:18.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- c. Mel's Funway Park LLC, 454 Charles Bancroft Highway, Litchfield, NH 03052.
To be issued Restaurant On-Premise Beverage and Wine License #1531903 pursuant to RSA 178:20.
30-Day Temporary License issued 9/15/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- d. Moonlight Meadery LLC DBA Hidden Moon Brewing,
23 Londonderry Road, Unit 17, Londonderry, NH 03053.
To be issued Conditional Combination Beverage Manufacturer License #291418 pursuant to RSA 178:17-a.
30-Day Temporary License issued 9/12/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- e. Old School Bar and Grill LLC, 49 Range Road, Units D, E & F, Windham, NH 03087.
To be issued Restaurant On-Premise Beverage, Wine, Liquor License #1527003 pursuant to RSA 178:21.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.
- f. Rideman LLC DBA Jay's Newmarket, 35 North Main Street, Newmarket, NH 03857.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3346547 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 9/13/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

- g. RK Gosselin's Superette LLC, 706 Somerville Street, Manchester, NH 03103.
To be issued Combination Off-Premise Beverage, Wine and Tobacco License #3346947 pursuant to RSA 178:18 & RSA 178:19-a.
30-Day Temporary License issued 9/15/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.
- h. SMG Food and Beverage LLC DBA Savor, 555 Elm Street, Manchester, NH 03101.
To be issued Sports Entertainment Complex License #7002643 pursuant to RSA 178:22, V(u)(1).
30-Day Temporary License issued 9/15/2016.
DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

5. **LICENSE APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

6. **DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION APPROVAL:**

TOTAL NUMBER OF ACTIVE DIRECT SHIPPER PERMITS ENDING SEPTEMBER 19, 2016: 1,167

Dionysus Acquisition LLC DBA Carolyn's Sakonnet Vineyard, 162 West Main Road, Little Compton, RI 02837.
Direct Shipper Permit Wine Manufacturer pursuant to RSA 178:27.

DEPUTY COMMISSIONER MILLIGAN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLICA SECONDED THE MOTION; THE MOTION PASSED.

7. **DIRECT SHIPPER APPLICATIONS RECOMMENDED FOR COMMISSION DENIAL:**

None

8. **NOTIFICATION OF APPROVED PETITIONS:**

- a. Anheuser-Busch LLC, 221 Daniel Webster Highway, Merrimack, NH 03054.
Restaurant On-Premise Beverage and Wine License #1513103.
Licensed pursuant to RSA 178:20.
Date petition received: 9/8/2016.
Requested approval for authorization of other area, to wit, an outside, fenced-in area with a capacity of 1,200 for event dates 9/13/2016, 9/17/2016 & 10/15/2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- b. Beava Divas LLC DBA 19TH Hole At Beaver Meadow (The),
1 Beaver Meadow Street, Concord, NH 03301.
Sports Recreation Facility License #6018605 licensed pursuant to RSA 178:22, V(v).
Date petition received: 8/22/2016.
Requested approval for authorization of other area, to wit, an outside, tented area with a capacity of 100 for event date 9/15/2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- c. Inspirational Properties LLC DBA Whitney's Inn/Shovel Handle Pub,
357 Black Mountain Road, Jackson, NH 03846.
Restaurant On-Premise Cocktail Lounge License #1352503 licensed pursuant to RSA 178:22.
Date petition received: 9/9/2016.
Requested approval for authorization of other area, to wit, an outside, tented area with a capacity of 160 for event dates 9/17/2016, 10/1/2016, 10/8/2016 & 10/15/2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- d. Kajal LLC DBA Londonderry Quick Stop, 123 Nashua Road, #25, Londonderry, NH 03053.
Combination Off-Premise Beverage, Wine and Tobacco License #3277247.
Licensed pursuant to RSA 178:18 & RSA 178:19-a.
Date petition received: 8/16/2016.

Requested approval for authorization to transfer business location, to wit, transfer the location from 123 Nashua Road, #25, Londonderry, NH to 123 Nashua Road, #12 & #13, Londonderry, NH on 9/30/2016 pursuant to RSA 178:29, VIII.

COMMISSION ACKNOWLEDGED.

- e. Mel's Funway Park LLC, 454 Charles Bancroft Highway, Litchfield, NH 03052.
Restaurant On-Premise Beverage and Wine License #1531903.
Licensed pursuant to RSA 178:20.
Requested approval for authorization of other area, to wit, an outside beer garden area with a capacity of 750 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- f. Old School Bar and Grill LLC, 49 Range Road, Units D, E & F, Windham, NH 03087.
Restaurant On-Premise Beverage/Wine/Liquor License #1527003 licensed pursuant to RSA 178:21.
Date petition received: 9/16/2016.
Requested approval for authorization of other area, to wit, an outside patio area with a capacity of 50 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- g. Stone Church Music Club LLC, 5 Granite Street, Newmarket, NH 03857.
Restaurant On-Premise Beverage/Wine/Liquor License #1429903.
Licensed pursuant to RSA 178:21.
Date petition received: 9/7/2016.
Requested approval for authorization of other area, to wit, an outside parking lot area with a capacity of 100 for event date 9/17/2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.
- h. WVSR LLC DBA Valley Pub and Grill, 29 Village Road, Waterville Valley, NH 03215.
Restaurant On-Premise Beverage/Wine/Liquor License #1460803.
Licensed pursuant to RSA 178:21.
Date petition received: 9/1/2016.
Requested approval for authorization of other area, to wit, an outside, tented area with a capacity of 50 for event dates 9/24/2016, 10/8/2016 & 10/9/2016 pursuant to RSA 178:24 and Liq. 404.05.
COMMISSION ACKNOWLEDGED.

9. NOTIFICATION OF APPROVED FELON EXCEPTIONS:

None

10. NOTIFICATION OF DENIED FELON EXCEPTIONS:

None

11. NOTIFICATION OF COMPLIANCE CHECKS SCHEDULED WITHIN NINETY (90) DAYS:

None

12. NOTIFICATION OF COMPLIANCE CHECKS:

None

13. COMMISSION DECISIONS PENDING AFTER HEARING:

In accordance with Title XIII and Administrative Rule, Liq. 208.02, the New Hampshire Liquor Commission will hold an informational licensing hearing on the liquor license application of The Big Easy LLC DBA Circle 9 Ranch, 39 Windymere Drive, Epsom, NH for an on-premises full service restaurant and cocktail lounge liquor license. The hearing will be held on Friday, September 9, 2016 at 2:00 pm to be conducted at the Epsom Public Library, 1606 Dover Road, Epsom, NH 03234. Any interested member of the public may testify and present evidence in favor of or against the applicant. The Commission will announce procedural guidelines at the hearing. Testimony by the public will be allowed in the order in which they sign up to speak and will be relevant to the prospective licensee and the local governing authority. The commission may question speakers

to clarify their positions. There shall be no cross examination or rebuttal testimony. Written testimony shall be accepted only if signed and received prior to the close of the hearing. Persons wishing to testify are urged to coordinate their testimony to avoid unnecessary duplication or repetition of testimony. Authority for this hearing is NH RSA Title XIII and Administrative Rule, Liq. 208.02 per order of Joseph S. Plaia, Chief Hearings Officer, New Hampshire Liquor Commission, 50 Storrs Street, Concord, NH 03301, Tel. # 603-230-7015.

AN INFORMATIONAL HEARING WAS HELD AT EPSOM PUBLIC LIBRARY, 1606 DOVER ROAD, EPSOM, NH ON SEPTEMBER 9, 2016.

14. NOTIFICATION OF HEARING RESULTS:

None

15. MISCELLANEOUS ITEMS FOR COMMISSION APPROVAL:

FCC (SW) Stephen H. Kipp, SERE EAST Portsmouth Naval Shipyard, Portsmouth, NH 03801. Military serviceman wishes to import his collection of alcohol to New Hampshire from overseas where he is currently stationed and have the 25% fee waived pursuant to RSA 175.6.

Recommendation: Approval.

DEPUTY COMMISSIONER MILLIGAN THANKED FCC KIPP FOR HIS SERVICE THEN MOVED TO APPROVE THIS ITEM; CHAIRMAN MOLLIKA SECONDED THE MOTION; THE MOTION PASSED.

16. MISCELLANEOUS ITEMS FOR INFORMATION ONLY:

- a. Front Door Agency, Inc. (The), Labelle Winery, 345 Route 101, Amherst, NH 03031.
To be issued a Wine Festival License pursuant to RSA 178:31.
Event date: 9/25/2016.
Recommendation: Expedited approval.
Commission approved on 9/15/2016.
COMMISSION ACKNOWLEDGED.
- b. Great American Downtown,
on Main Street between High Street and West Pearl Street, Nashua, NH 03064.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 9/25/2016.
Recommendation: Expedited approval.
Commission approved on 9/15/2016.
COMMISSION ACKNOWLEDGED.
- c. Plymouth Rotary Foundation, Dr. Cote's Field, 42 Smith Bridge Road, Plymouth, NH 03264.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 9/17/2016.
Recommendation: Expedited approval.
Commission approved on 9/13/2016.
COMMISSION ACKNOWLEDGED.
- d. Positive Street Art, Inc., French Park, 4 Water Street, Nashua, NH 03060.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 9/18/2016.
Recommendation: Expedited approval.
Commission approved on 9/15/2016.
COMMISSION ACKNOWLEDGED.
- e. Share Our Strength, La Belle Winery, 345 NH Route 101, Amherst, NH 03031.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).

Event date: 9/22/2016.
Recommendation: Expedited approval.
Commission approved on 9/14/2016.
COMMISSION ACKNOWLEDGED.

- f. Star Island Corporation, Oceanic Hotel, Isles of Shoals, Rye, NH 03870.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 9/24/2016.
Recommendation: Expedited approval.
Commission approved on 9/13/2016.
COMMISSION ACKNOWLEDGED.

- g. Valley Regional Hospital, Inc., Newport Opera House, 20 Main Street, Newport, NH 03773.
To be issued a one-day Voluntary Nonprofit Organizations Beverage/Wine/Liquor License pursuant to RSA 178:22, V(I).
Event date: 9/25/2016.
Recommendation: Expedited approval.
Commission approved on 9/14/2016.
COMMISSION ACKNOWLEDGED.